IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE PIUS C.KURIAKOSE

WEDNESDAY, THE 12TH SEPTEMBER 2007 / 21ST BHADRA 1929

WP(C).No. 27174 of 2007(I)

PETITIONER:

USMAN, S/O.ABOOBACKER, KOLAKKATTIL
NELLIKKAPARAMBU P.O., MUKKAM (VIA)
KOZHIKODE DISTRICT, PIN: 673 602.

BY ADV. SRI.G.HARIHARAN

RESPONDENTS:

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1. THE SECRETARY,
KEEZHPARAMBU GRAMA PANCHAYATH,
KEEZHPARAMBU EARANADU TALUK,
MALAPPURAM DISTRICT
PIN: 673 639.

2. KERALA STATE POLLUTION CONTROL BOARD,
DISTRICT OFFICER, MALAPPURAM.

3. DISTRICT OFFICER,
MINING AND GEOLOGY DEPARTMENT,
MANJERI, MALAPPURAM DISTRICT.

4. MUHAMMED, MANAGING PARTNER,
FRIENDS STONE CRUSHER, VALILLAPUZHA P.O.
AREECODE (VIA), MALAPPURAM DISTRICT.

R2 BY ADV.MR.M.K.CHANDRAMOHAN DAS
R3 BY GOVT. PLEADER MR.K.J.MOHAMMED ANZAR

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 12/09/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

PIUS C. KURIAKOSE,J.

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W.P.(C) No.27174 of 2007

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Dated: 12th September, 2007

JUDGMENT

I do not propose to go into the merits of the matter. The grievance of the petitioner is that the operation of the stone crusher unit by the 4th respondent is causing considerable difficulties to the petitioner who is the owner of a rubber plantation and also to his workers. The petitioner has submitted Ext.P6 representation before the 1st respondent and Ext.P8 has been submitted by the petitioner before the Senior Environmental Engineer of the Pollution Control Board. Ext.P9 has been submitted by him before the "Mining and Geology Officer". The 1st respondent will take up Ext.P6 representation submitted by the petitioner, issue notice to the petitioner as well as to the 4th respondent and take a correct and just decision on the same after holding all necessary enquiries into the question whether the 4th respondent is having statutory permits and consents for operating the stone crusher unit. If necessary the 1st respondent will call for report from the concerned Environmental Engineer of the Pollution Control Board. Orders as directed above will be passed by the 1st respondent at the earliest and at any rate within

two months of receiving copy of the judgment.

The Writ Petition is disposed of as above.

srd **PIUS C.KURIAKOSE, JUDGE**